

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION OPIATE
LITIGATION

MDL No. 2804

This document relates to:

Case No. 17-md-2804

The Blackfeet Tribe of the Blackfeet Indian Reservation v. AmerisourceBergen Drug Corp., et al.

Hon. Dan Aaron Polster

Case No. 18-op-45749

**GENERIC MANUFACTURERS' MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED COMPLAINT**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the Generic Manufacturers¹ move this Court to dismiss all claims asserted against them in Plaintiff's Amended Complaint for failure to state a claim upon which relief can be granted. This Motion will be supported by the pleadings, the record, a Memorandum of Law in Support of the Generic Manufacturers' Motion to Dismiss Plaintiff's First Amended Complaint, which is filed contemporaneously herewith and incorporated herein by reference, oral argument, and any other evidence requested or permitted by the Court.

WHEREFORE, the Generic Manufacturers respectfully request that the Court grant their Motion in its entirety and dismiss all of Plaintiff's claims against them with prejudice.

¹ The Generic Manufacturers include Watson Laboratories, Inc., Actavis Pharma, Inc., Actavis LLC, Par Pharmaceutical, Inc., and Par Pharmaceutical Companies, Inc. Mallinckrodt LLC, SpecGx LLC, and Teva Pharmaceuticals USA, Inc. also join this motion to the extent Plaintiff's claims rest on allegations regarding their generic products.

Dated: August 31, 2018

Respectfully submitted,

By: /s/ Steven A. Reed

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2018, a copy of the foregoing **Generic Manufacturers' Motion to Dismiss Plaintiff's First Amended Complaint** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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